

apo'c:

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Douglas E. Arpert
v.	:	Criminal No. 12-2547 (DEA)
SEAN RUBLOWITZ	:	<u>ORDER SETTING CONDITIONS OF RELEASE</u>

This matter having come before the Court upon the application of the defendant SEAN RUBLOWITZ, by his attorney Aidan P. O'Connor, Esq., for an order establishing conditions of release pursuant to Title 18 United States Code, Sections 3141, 3142(c) and 3143, and the United States of America, by Paul J. Fishman, United States Attorney for the District of New Jersey, (Jonathan Romankow, Assistant U.S. Attorney, appearing), having consented to such modification, and the Court being satisfied that the following conditions will reasonably assure the appearance of defendant SEAN RUBLOWITZ as required and will not endanger the safety of any other person and the community; and for good and sufficient cause shown;

WHEREFORE, it is on this 20th day of July, 2012,

ORDERED that the following conditions of release be imposed:

1. The defendant must not violate any federal, state or local law while on release.
2. The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
3. The defendant must immediately advise the court, defense counsel, and the U.S. Attorney in writing before any change in address and/or telephone number.
4. The defendant must appear in court as required and must surrender to serve any sentence imposed.

Release on Bond

5. Bail be fixed at \$100,000 with a co-signer and the defendant shall be released upon
 - a. Executing an unsecured appearance bond with Linda Tendler as a co-signer.

Additional Conditions of Release

Upon finding that release by the above methods will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, it is further ordered that the release of the defendant is subject to the condition(s) listed below:

IT IS FURTHER ORDERED that, in addition to the above, the following conditions are imposed:

6. Defendant SEAN RUBLOWITZ shall report to Pretrial Services ("PTS") as directed and advise them immediately of any contact with law enforcement personnel, including but not limited to, any arrest, questioning or traffic stop.
7. Defendant SEAN RUBLOWITZ shall not attempt to influence, intimidate, or injure any juror or judicial officer; not tamper with any witness, victim, or informant; not retaliate against any witness, victim or informant in this case.
8. Defendant SEAN RUBLOWITZ shall reside with his brother and co-defendant Matthew Rublowitz in South Carolina or maintain a residence approved by Pretrial Services.
9. Defendant SEAN RUBLOWITZ's travel is restricted to New Jersey and South Carolina unless otherwise approved by PTS.
10. Defendant SEAN RUBLOWITZ shall surrender all passports and travel documents to PTS and shall not apply for new travel documents.

11. Defendant SEAN RUBLOWITZ shall submit to substance abuse testing and/or treatment as directed by PTS and shall further refrain from obstructing or tampering with substance abuse testing procedures/equipment.
12. Defendant SEAN RUBLOWITZ shall refrain from use or unlawful possession of a narcotic drug or other controlled substances unless prescribed by a licensed medical practitioner.
13. Defendant shall not possess a firearm, destructive device or other dangerous weapon.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:


- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more- you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;

- (3) any other felony - you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor- you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


SEAN RUBLOWITZ
Myrtle Beach S.C.
City and State

CE 7-23-12

Directions to the United States Marshal

- (✓) The defendant is ORDERED released after processing.
- (~~✓~~) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.


HON. DOUGLAS E. ARPERT
UNITED STATES MAGISTRATE JUDGE